

## REMARKS

The Examiner is thanked for the performance of a thorough search. Claims 1-15, 23-37, 45-59, and 67-81 are canceled. No claims are added. Claims 16-22, 38-44, 60-66, and 82-88 are pending.

### I. INFORMATION DISCLOSURE STATEMENT

Applicant filed an Information Disclosure Statement with references on March 22, 2004, but has not received an initialed copy of Form PTO-1449 indicating that the references were considered. In applicant's prior reply of June 29, 2007, applicant submitted a duplicate copy of the IDS with proof of filing by mail, in the form of a certificate of mailing, and proof of receipt by the USPTO, in the form of a copy of a postcard receipt received by Applicant's representative and bearing a date stamp of the Office of Initial Patent Examination (OIPE), and requested the Office to return an initialed copy of the Form PTO-1449 with the next Office communication. No initialed copy has been received. Applicant respectfully requests the Office to return an initialed copy of the Form PTO-1449 with the next Office communication.

### II. ISSUES RELATING TO THE CITED ART

Claims 16, 17, 19, and corresponding claims in computer-readable medium format and apparatus format have been amended. Support for the amendments is found at least in paragraphs 29, 30, 35, 38, and the Appendix of applicant's disclosure. To the extent that any claim amendment is not literally found in the above-cited paragraphs or appendix, the amended claim language is inherent in the disclosure. For example, the disclosure does not literally use the term "non-null," but the Appendix defines object types having comments stating that actual values are used in various attributes and fields in order to trigger a specified response from an agent. Further, since there is no way to communicate proposals for correct values of MIB

variables without including actual proposed values, the use of non-null proposed values is inherent to the extent not disclosed in the Appendix or the above-cited paragraphs. Further, “without providing the correct value in response to the request” is at least inherent in the concept of testing user credentials described in paragraph 38, because it would breach system security for a network device to reply with an actual value of a password, as opposed to an indication of whether the proposed password is correct. Of course, applicable case law does not require an applicant’s disclosure to support claim terms *ipso facto* or in the exact words that are used in the claims. The correct standard is whether a person of skill in the art, reading and taking the entire disclosure into account and including the accumulated skill of that person, would understand the disclosure to support the claims.

A. CLAIMS 1-4, 6, 7, 9-11, 14, 16, 17-19, 21-26, 28, 29, 31-33, 36, 38-41, 43-48, 50, 51, 53, 55, 58, 60-63, 65-70, 72, 73, 75-77, 80, 82-85, 87, 88—GROVER Claims 1-4, 6, 7, 9-11, 14, 16, 17-19, 21-26, 28, 29, 31-33, 36, 38-41, 43-48, 50, 51, 53, 55, 58, 60-63, 65-70, 72, 73, 75-77, 80, 82-85, 87, and 88 stand rejected under 35 U.S.C. 102(b) as allegedly anticipated by U.S. Patent No. 5,737,518 of Grover. The rejection is respectfully traversed.

Grover’s approach performs tests exclusively on conventional SNMP queries or requests. Nothing in Grover suggests that Grover facilitates testing anything other than SNMP queries that conform to standard SNMP practice. In standard SNMP practice, an SNMP GET operation retrieves the value of one or more instances of management information. In a get-request message, each VarBind element of array VarBindList specifies the identity of an instance of management information. The value of management information in a VarBind element is a **placeholder and is not used by agents, but is set to the special value NULL**. In a successful

response, an SNMP agent replaces the placeholder values with actual values of management information. *See* D. Perkins et al., “GET Operation,” Section 6.3.1, “Understanding SNMP MIBS” (Saddle River, NJ: Prentice Hall, 1997), at p. 173 (copy previously submitted, currently in the Image File Wrapper entry dated March 26, 2004).

In sharp contrast, in the claimed approach, **the structure of an SNMP GET request differs from conventional practice**. In the claimed approach, an SNMP GET request does not contain NULL values, but includes actual, non-null values that are proposed as the correct values of what is stored in management information in the network device. As recited in the claims, the approach involves “receiving a SNMP GET request identifying an SNMP MIB object and also containing one or more non-null values comprising proposals for a correct value of the SNMP MIB object.” Grover is limited to conventional SNMP query format in which NULL placeholder values must be used. Grover has no suggestion to include actual values in a test query that is submitted using Grover’s system.

Further, the response of the SNMP agent is also non-conventional. In the claimed approach, a notification message indicates whether any of the values match the correct value, but **without providing the correct value in response**. In other words, in one embodiment, the correct value is not replaced into the VarBind elements, as in conventional practice; instead, the requesting system receives a notification of whether the proposed value was correct. This approach facilitates, for example, determining whether a user holds the correct password, without requiring the responding agent to disclose the correct password, which would breach security.

The use of “stored in” in the independent claims clarifies that the claimed approach is directed to determining whether proposed values match actual values that are held in the

responding agent or device. In contrast, Grover merely tests whether queries work without providing a way to propose values to the agent or device and have the agent or device determine from presently stored values whether the proposed values are correct.

Claim 17 clarifies the sub-concept that is described, for example, in paragraph 35 of applicant's disclosure, in which the notification message identifies a correct value by using an index position of a value in the request. In contrast, conventional SNMP practice as in Grover would require the responding agent to actually substitute the correct value into an SNMP get-response.

Claim 19 clarifies the sub-concept of providing a proposed user credential, such as a password, community string, etc., for a protocol other than SNMP.

Applicant's prior reply stated that "Grover merely uses conventional SNMP object queries," and the Office Action did not respond on that point.

Further, the "Responses to Arguments" appears to overlook the specific claim language calling for a request having "one or more values comprising proposals for a correct value" of a managed object. While Grover allows a user to specify a certain type of object to test, Grover does not state that the user can provide actual values in such objects and somehow ask the system to determine if the values are correct based on values stored in the device. Grover's statement that **responses** to test signals will be analyzed for correctness is strikingly different from testing whether **proposed variable values** are correct, because verifying correctness of responses received from a device is not the same as proposing values and having the device respond whether the values are correct. The last sentence of the "Response to Arguments" mischaracterizes the reference because Grover does not test correctness of a test signal (query command or request), but rather Grover only tests correctness of responses. Applicant's

approach is totally different in giving proposed values and asking whether those values, rather than responses of devices to the values, are correct. Thus the last sentence of the “Response to Arguments” is an overbroad, unreasonable reading of the reference driven by hindsight based on applicant’s disclosure, rather than by the teachings of Grover or any technical reason known in the art.

Anticipation requires that a single prior art reference disclose every limitation in a patent claim for the prior art to anticipate the patent claim. *General Elec. Co. v. Nintendo Co., Ltd.*, 179 F.3d 1350, 1356 (Fed.Cir. 1999). *Grover* does not disclose all the features illustrated above for each of the independent claims 16, 38, 60, and 82. The applicant has identified features of the claim that are missing in the reference, and therefore the claim is not anticipated. Each of claims 1-4, 6, 7, 9-11, 14, 16, 17-19, 21-26, 28, 29, 31-33, 36, 38-41, 43-48, 50, 51, 53, 55, 58, 60-63, 65-70, 72, 73, 75-77, 80, 82-85, 87, and 88 includes the distinguishing features that are identified and discussed above. Therefore, each of claims 1-4, 6, 7, 9-11, 14, 16, 17-19, 21-26, 28, 29, 31-33, 36, 38-41, 43-48, 50, 51, 53, 55, 58, 60-63, 65-70, 72, 73, 75-77, 80, 82-85, 87, and 88 is patentable under 35 U.S.C. 102(b) over *Grover*. Reconsideration is respectfully requested.

B. CLAIMS 5, 27, 49, 71

Claims 5, 27, 49, and 71 stand rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Grover in view of Chen US Pat. No. 6,324,646. The rejection is respectfully traversed.

Claims 5, 27, 49, and 71 are canceled herein and therefore the rejection is moot.

Chen is also inapplicable to the claims as amended herein. The Office Action cited Chen to show values stored in the SNMP request in a VarBind portion, relying on Chen FIG. 2 and column 6. Chen shows an SNMP **GET operation**, but a GET operation can be either a request or a response. The claims recite using a **request** that includes non-null proposed values. With

Chen, if the form of FIG. 2 is used for a request, then the VarBind portion would contain NULL values in accordance with conventional SNMP practice, and a response would include actual values returned from the agent. Chen is concerned with providing a security descriptor for various security purposes and has no suggestion to alter conventional practice so that the form of FIG. 2 should include non-null values in a **request as claimed herein**, as opposed to a response.

C. CLAIMS 8, 20, 30, 42, 52, 64, 74, 86—GROVER AND KWAN

Claims 8, 20, 30, 42, 52, 64, 74, and 86 stand rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Grover in view of the IronShield white paper of Kwan. The rejection is respectfully traversed.

Claims 8, 30, 52, and 74 are canceled and the rejection is moot as to those claims.

Kwan is cited to show MIB objects holding various security information values. Kwan does not cure the deficiencies of Grover identified above with respect to the independent claims. Each of Claims 20, 42, 64, and 86 depends on one of the independent Claims 16, 38, 60, and 82, and consequently include each and every feature of the independent base claim. Thus, each of Claims 20, 42, 64, and 86 is allowable for the reasons given above for Claims 16, 38, 60, and 82. In addition, each of Claims 20, 42, 64, and 86 introduces one or more additional features that independently render the claim patentable. However, due to the fundamental differences already identified and to expedite the positive resolution of this case, a separate discussion of those features is not included at this time. Therefore, it is respectfully submitted that Claims 20, 42, 64, and 86 are allowable for the reasons given above with respect to Claims 16, 38, 60, and 82. Reconsideration is respectfully requested.

D. CLAIMS 12, 13, 34, 35, 56, 57, 78, 79—GROVER AND BARKER

Claims 12, 13, 34, 35, 56, 57, 78, and 79 stand rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Grover in view of Barker US Pat. No. 6,363,421. The rejection is respectfully traversed.

Claims 12, 13, 34, 35, 56, 57, 78, and 79 are canceled herein and therefore the rejection is moot.

Barker is also inapplicable to the claims as amended herein. The Office Action cited Barker to show using an SNMP GETNEXT request, relying on Barker 33:4-15. Barker is clearly limited to conventional SNMP GETNEXT usage. As stated in Barker:

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**SNMP Agent Functionality**

The SNMP Agent will perform the following basic functions:

I. Receive SNMP packets sent by the SNMP Manager at the element management system Server and process each one as follows:

A. GET/GET-NEXT/GETBULK packet: Obtain the current values of the managed object attributes requested in the packet by accessing either the Network Element Status Table or the Configuration (IDS) Data, as appropriate. The requested attributes and their values are stored in a GET-RESPONSE packet and returned to the Manager.

Thus, Barker is describing receiving conventional requests that identify attributes but do not supply proposed values, because in a conventional GETNEXT request, the VarBind portion includes NULL values, and providing a conventional GET-RESPONSE that includes the requested values. In contrast, the claims recite using a request that includes non-null proposed values. Barker has no suggestion to alter conventional practice to include non-null values in a request as claimed herein.

E. CLAIMS 15, 37, 59, 81—GROVER AND GORINGE ET AL.

Claims 15, 37, 59, and 81 stand rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Grover in view of Goringe et al. US Patent Pub. No. 20030131096. The rejection is respectfully traversed.

Claims 15, 37, 59, and 81 are canceled, and therefore the rejection is moot.

Goringe does not cure the deficiencies of Grover identified above with respect to the independent claims. Nothing in Goringe teaches or suggests providing non-null proposed values in an SNMP GET request, as claimed.

### III. CONCLUSION

It is respectfully submitted that all of the pending claims are in condition for allowance and the issuance of a notice of allowance is respectfully requested. If there are any additional charges, please charge them to Deposit Account No. 50-1302.

The Examiner is invited to contact the undersigned by telephone if the Examiner believes that such contact would be helpful in furthering the prosecution of this application.

Respectfully submitted,

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